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11 Attorneys for Defendant
12 RECEIVABLES PERFORMANCE MANAGEMENT, LLC

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14
15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA

17
18 REGINA SANCHEZ, individually and on
19 behalf of all others similarly situated,

CASE NO. 5:15-cv-01759 FMO
(JEMx)

20 Plaintiff,
21
22 vs.
23 RECEIVABLES PERFORMANCE
24 MANAGEMENT, LLC,

CASE NO. 5:15-cv-02294 FMO
(DTBx)

25 Defendant.

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28 **STIPULATION TO
CONSOLIDATE CASES
(FRCP 42(a)(2)) AND
TRANSFER VENUE (28 U.S.C.
§ 1404)**

[Proposed] Order Filed
Concurrently herewith

Complaint filed: August 28, 2015

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2211 Michelson Drive Suite 400
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1 Plaintiff Regina Sanchez (“Plaintiff”), on her own behalf and on behalf of
 2 the class of purportedly similarly situated persons, and Defendant Receivables
 3 Performance Management, LLC (“Defendant”), by and through their respective
 4 counsel (collectively, the “Parties”), enter into this stipulation to consolidate the
 5 above-captioned action with United States District Court Case No. 5:15-cv-02294-
 6 FMO (DTBx), , and to transfer the consolidated action to the United States District
 7 Court for the Central District of California, Eastern Division.

STIPULATION TO CONSOLIDATE ACTIONS AND TRANSFER VENUE

I. RECITALS

WHEREAS, Plaintiff filed a Complaint against Defendant on August 28, 2015 in the Central District of California (*Regina Sanchez v. Receivables Performance Management*, Case No. 5:15-cv-01759-FMO (JEMx)), pending before United States District Judge Fernando M. Olguin;

WHEREAS, Plaintiff filed a Complaint against Defendant on August 31, 2015 in the San Bernardino Superior Court (*Regina Sanchez v. Receivables Performance Management, LLC*, Case No. CIVDS1512500)(“State Court Action”);

WHEREAS, on November 6, 2015, Defendant filed a Notice of Removal of the State Court Action pursuant to 28 U.S.C. §§ 1441, and 1446, based on federal question jurisdiction;

WHEREAS, the State Court Action is now *Regina Sanchez v. Receivables Performance Management*, Case No. 5:15-cv-02294-FMO (DTBx).

WHEREAS, Defendant filed a Notice of Related Cases on November 16, 2015 in Case No. 5:15-cv-02294-FMO (DTBx);

WHEREAS, on November 16, 2015, United States District Judge Fernando M. Olguin consented to the transfer of Case No. 5:15-cv-02294-FMO (DTBx) to his calendar, pursuant to General Order 14-03;

WHEREAS, both actions involve the same Plaintiff and Defendant and arise

1 from the same nucleus of operative facts and call for determination of substantially
2 related or similar questions of law and fact, and are likely to require substantial
3 duplication of judicial resources if they proceed as separate actions;

4 WHEREAS, based on the similar procedural stages of each case and the
5 facts presently known to the Parties, and to conserve time, money and judicial
6 resources, the Parties agree that both cases should be consolidated;

7 WHEREAS, in an attempt to avoid unnecessarily burdening the Court with a
8 motion for consolidation, the Parties hereby agree to consolidate the above-
9 captioned case with *Regina Sanchez v. Receivables Performance Management*,
10 Case No. 5:15-cv-02294-FMO (DTBx)(hereinafter, “Consolidated Action”),
11 pursuant to Federal Rule of Civil Procedure 42(a)(2).

12 WHEREAS, Plaintiff resides in San Bernardino, California;

13 WHEREAS, for the convenience of parties and witnesses, and in the interest
14 of justice, the Parties seek the transfer of the Consolidated Action to the United
15 States District Court for the Central District of California, Eastern Division. 28
16 U.S.C. §1404;

17 WHEREAS, transfer of the Consolidated Action is proper because the
18 Eastern Division is a “division where it might have been brought.” 28 U.S.C. §
19 1404(a);

20 WHEREAS, venue is proper in the Eastern Division because the State Court
21 Action was filed in the Superior Court of the State of California for the County of
22 San Bernardino, which is located within the Eastern Division of the United States
23 District Court for the Central District of California; and

24 WHEREAS, transfer of this action will serve the convenience of the Parties
25 and witnesses, and is in the interest of justice because it can be more inexpensively
26 and expeditiously resolved in the same forum as Plaintiff resides.

27 **II. TERMS OF STIPULATION.**

28 Based on the foregoing, and in the interest of justice and conserving time,

1 money, and judicial resources, and to serve the convenience of the parties and
2 witnesses, the Parties hereby stipulate to the terms set forth below:

3 1. *Regina Sanchez v. Receivables Performance Management*
4 (Case No. 5:15-cv-01759-FMO (JEMx)) shall be consolidated with *Regina*
5 *Sanchez v. Receivables Performance Management* (Case No. 5:15-cv-02294-FMO
6 (DTBx)(Collectively, “Consolidated Action”);

7 2. The Consolidated Action shall be transferred to the Eastern
8 Division of the United States District Court for the Central District of California.

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10 Dated: November 30, 2015

GORDON & REES LLP

11
12 By: s/Sean P. Flynn
13 Sean P. Flynn
14 Evan M. Rothman
15 Attorneys for Defendant
16 Receivables Performance
17 Management, LLC

18
19 Dated: November 30, 2015

LAW OFFICES OF TODD M.
20 FRIEDMAN, P.C

21
22 By: s/Todd M. Friedman
23 Todd M. Friedman
24 Attorney for Plaintiff